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COMMISSION ON HUMAN RIGHTS

Fifty-third session

SUMMARY RECORD OF THE 61st MEETING

Held at the Palais des Nations, Geneva,
on Monday, 14 April 1997, at 6 p.m.

Chairman: Mr. SOMOL (Czech Republic)

later: Mr. STROHAL (Austria)

CONTENTS

RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD;

(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY;

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GE.97-12763 (E)

CONTENTS (continued)

(c) PROGRAMME OF ACTION FOR THE ELIMINATION OF THE EXPLOITATION OF CHILD LABOUR;

(d) QUESTION OF A DRAFT OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY, AS WELL AS THE BASIC MEASURES NEEDED FOR THEIR PREVENTION AND ERADICATION (continued)

The meeting was called to order at 6.05 p.m.

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(agenda item 21) (continued) (E/CN.4/1997/93, 94, 95 and Add.1-2, 96 and 97; A/51/306 and Add.1 and 456)

1. Mr. KONISHI (Japan) said that his Government attached great importance to the promotion and protection of the rights of children and believed that the massive support for the Convention on the Rights of the Child would help consolidate the international framework for the protection of children's rights. Despite recent efforts, however, many children were still living in exceptionally difficult conditions as a result of poverty, armed conflicts, sexual exploitation and exploitative child labour. In the light of the United Nations Decade for Human Rights Education, which had begun in 1995, and the forthcoming fiftieth anniversary of the Universal Declaration of Human Rights, he urged all Governments to consider children's rights as a matter of priority in any related human rights fora.

2. In accordance with the Convention, Japan had been reinforcing its international cooperation efforts to improve the situation of children in developing countries. Its bilateral cooperation focused on the construction of schools and the improvement of maternal and child health care and children's hospitals. Through the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), Japan participated in campaigns for tackling tuberculosis, poliomyelitis and AIDS.

3. Several issues demanded the international community's urgent attention. First, Japan was seriously concerned about the effects that armed conflicts were having on children in many parts of the world. It was deplorable that children were sometimes used as soldiers or killed or injured by the indiscriminate use of anti-personnel landmines. At Japan's initiative, the Tokyo Conference on Anti-Personnel Landmines, the first international conference to address landmine-clearance issues in a comprehensive manner, had been convened in March 1997. The Conference participants had shown their commitment to reducing the number of mine victims and had adopted three guidelines, including one for the development of new technology for mine detection and removal and one for assistance to victims. He urged Governments and the relevant international organizations and non-governmental organizations (NGOs) to take steps to reduce the number of mine victims in accordance with those guidelines.

4. Japan supported the activities of the working group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts and hoped for an early agreement on the text being elaborated.

5. On the matter of exploitative child labour, Japan welcomed the state of the World's Children 1997 report published by UNICEF and the International Labour Organization (ILO) initiative towards drafting an instrument on the eradication of the most hazardous and exploitative forms of child labour. While child labour had its roots in poverty, poverty should not be used as a pretext. It was imperative to prevent exploitative child labour, and the primary responsibility for doing so lay with Governments.

6. He expressed his delegation's grave concern over the problems of the sale of children, child prostitution and child pornography, which were increasingly being conducted across national borders. Those urgent problems therefore had to be tackled at the international as well as national level. In that connection the World Congress against Commercial Sexual Exploitation of Children had played an important role in focusing international attention on the issue. In the wake of the Congress, the Government of Japan, in cooperation with the UNICEF office in Japan, was promoting a campaign to raise awareness of the issue of child prostitution, including sex tourism. Japan also intended to take an active part in combating sex tourism through effective implementation of national legislation as well as international cooperation. In Japan, it was illegal for travel agents to arrange "sex tours", and Japanese nationals committing offences with under-age children abroad were subject to punishment. He wished to emphasize the importance of strengthening the control and investigation of crimes under the laws and regulations in the country where an offence was committed, since it was difficult to punish offenders committing crimes abroad without sufficient evidence. His delegation also encouraged international cooperation to ensure the effective implementation of related national laws and regulations. Japan would continue to support the work of the working group on a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

7. In concluding, he commended the important role of the Committee on the Rights of the Child, international organizations such as UNICEF and the relevant NGOs in promoting the rights of the child.

8. Mr. Strohal (Austria) took the Chair.

9. Mr. LI Fan (China) said that the ratification of the Convention on the Rights of the Child by 187 countries within only a few years of its adoption reflected the common political will of those various countries for the protection of the rights of the child. He expressed appreciation for the efforts of the international community and of the United Nations and its specialized agencies in particular. Nevertheless, for reasons such as poverty, natural disasters, armed conflict and crimes against children, the rights of children were still being seriously violated in some parts of the world.

10. At the fifty-first session of the General Assembly, the Secretary-General had transmitted the report on the impact of armed conflict on children (A/51/306 and Add.1) prepared by Ms. Graça Machel, the expert appointed pursuant to General Assembly resolution 48/157 to undertake a study on the topic. The suffering caused to children by armed conflicts was well known to the international community, while the conflicts themselves were attributable to deep-rooted political and economic factors. While calling on the parties to armed conflicts to abide by international humanitarian law, the world community should reaffirm the principle of peaceful settlement of international disputes and oppose all manifestations of hegemonism and interference in other countries' internal affairs by force. He also wished to draw attention to the analysis in the expert's report on the injury to children's interests caused by economic sanctions.

11. Sale of children, child sex tourism, paedophilia and sexual harassment of children were abominable phenomena that reflected the moral degradation and perverse values of some people. Although they existed in various countries the demand came mainly from developed countries and the child victims were mostly from poor families in the developing countries. Regrettably, some countries did not have a well-developed system of jurisdiction for punishing such crimes, thus leaving loopholes for the criminals to exploit. He stressed the need to establish effective systems of jurisdiction and international legal cooperation to punish the criminals, on the one hand, and to strengthen international assistance and cooperation for the child victims on the other.

12. Referring to the drafting work on the two optional protocols to the Convention, in which China had participated constructively, he noted that divergent views existed on some issues due to differences in legal systems. That was inevitable, but he was convinced that political goodwill and full consultations with a responsible attitude of mutual understanding and respect would lead to success.

13. The Chinese Government regarded children as the future of the country and did its utmost to ensure their healthy growth. Its achievements in reducing child mortality rates and improving children's nutrition, hygiene and education were widely recognized. China had always treated the trafficking, abduction and sexual exploitation of children as serious crimes, for which it had established severe punishment. Recently-revised criminal legislation was more comprehensive and detailed in that regard. China not only attached great importance to the investigation and prosecution of such crimes but also conducted information campaigns concerning the relevant laws to mobilize society in combating them. The incidence of those crimes had been decreasing as a result. As for the elimination of child labour, the relevant Chinese law stipulated that children were free from economic exploitation. The hiring of minors under the age of 16 was prohibited, and employment of minors between 16 and 18 years of age was subject to specific regulations.

14. While reviewing its achievements, his Government was aware that the negative effects caused by its huge population, weak economic foundation and traditional backward ideas prevailing in some parts of the country meant that there was much room for improvement in its work concerning the rights of the child. It would continue to pay close attention to the problems still existing.

15. Mrs. REGAZZOLI (Argentina) said that her delegation had read with interest the report of the Special Rapporteur on the sale of children, child prostitution and child pornography, the report of the Chairman/Rapporteur of the working group on a draft optional protocol to the convention on the rights of the child, on the sale of children, child prostitution and child pornography, and the report of the Chairman/Rapporteur of the working group on a draft optional protocol to the Convention on the rights of the child on involvement of children in armed conflicts. In her delegation's view, the rights of the child should be analysed not as just another agenda item, but as a specific problem requiring solutions.

16. The framework for the realization of the rights of the child was composed principally of the 1993 Vienna Declaration and Programme of Action and the Convention on the Rights of the Child. Paragraph 48 of the Vienna Declaration had been ahead of its time in denouncing sexual exploitation in all forms, including sex tourism, a new form of slavery. Referring to the Convention, she said that her country had entered a reservation to article 38 regarding the minimum age for participation in armed conflicts. She hoped that the drafting of the optional protocol on involvement of children in armed conflicts would be concluded rapidly, and she urged the few States that had not yet ratified the Convention to do so as soon as possible.

17. A third element of the framework consisted in the recommendations of the World Congress against the Commercial Sexual Exploitation of Children, held at Stockholm in August 1996, which had highlighted the universal concern with the problem. In addition to the tragedy of the street children and the serious problems of social marginalization and poverty, the international traffic in children, child prostitution and child pornography were on the increase. The members of the international community therefore had to join forces to prevent and eradicate that social and moral cancer.

18. The World Congress held in Stockholm had also made it clear that all sexual abuse of boys or girls, even without commercial motives, must be classified as offences. For that reason, in October 1996 the Argentine Government had approved a research project on sexual exploitation of children and had assigned resources and specialized technical staff for its implementation. Her Government considered it vitally important for the proposed optional protocol on the sale of children, child prostitution and child pornography to be finalized and signed as soon as possible.

19. Children's right to an identity was protected by the Argentine legal system, which provided for increased penalties for abduction, concealment, suppression of identity and all offences relating to the traffic in children. As problems still existed, however, in 1992 the Department of Human and Social Rights of the Ministry of the Interior had established the National Commission for the Right to an Identity, which sought to locate abducted and disappeared children and children born of mothers unlawfully deprived of their liberty. Argentine legislation also established procedures and specific measures against violence in the family. In 1990, Argentina had become the first country in Latin America to meet the goals set at the World Summit for Children for the mid-1990s: over 80 per cent compulsory immunization coverage, the eradication of poliomyelitis, guarantees that at least 80 per cent of children under the age of two received adequate levels of vitamin A, and a reduction of severe malnutrition levels.

20. Mr. SMITH (United States of America) said that few issues affected the future of nations as directly as those involving children, yet children were among the least empowered people on the planet. Child labour was one of the most prominent children's rights issues. In addressing that subject, it was important that the Commission should maintain the distinction between all forms of child labour and the exploitation of child labour. Children who worked on family farms or in family-run businesses or who held part-time jobs after school benefited from the wages and experience they gained and contributed to their families' welfare.

21. Jobs which prevented children from attending school or which subjected them to hazardous conditions, however, were exploitative. Education was the key to a child's future, just as it was crucial to a nation's future. He questioned the judgement of nations where primary school attendance was not compulsory or State-provided or enforced.

22. Many of the estimated 250 million children between the ages of 5 and 14 who worked were compelled to do so, sometimes under appallingly cruel conditions and at wages so low as to be nearly non-existent. Children who worked needed protection from abuses and exploitative conditions, including overly long hours, exposure to harmful chemicals, crowded and unsanitary conditions and proximity to dangerous equipment. Short-term gain was the enemy of common sense and long-term planning. Children who were exposed to harmful conditions or victimized emotionally might not fully develop their mental and physical abilities, and they would later contribute little to their country's growth.

23. Progress was, however, being made. In Bangladesh two years earlier, the country's garment manufacturers had signed an agreement with UNICEF and ILO to take under-aged workers from their factories and place them in specially designed educational programmes. Over 285 such schools had been established and more were being created. Another positive example was in Pakistan, where UNICEF, ILO and Save the Children had combined with the sporting goods industry to help reduce child labour in the production of soccer balls. In Nepal, carpet manufacturers had joined the Rugmark Programme to ensure a child-labour-free product and to generate income for schools for child labourers. Such combinations of public and private sector initiatives indicated that where incentives and political will existed, solutions could be found to end abusive practices.

24. Armed conflicts trampled children's rights and often left children scarred for life. Yet there were increasing instances of war and civil insurrection in which boys no older than 12 were conscripted and sent into combat. For girls there was the horror of rape, an all-too-common adjunct of war and civil strife. The United States vigorously condemned all instances of rape, and even more the systematic practice of it as a weapon of war. He called on all nations to implement and enforce their obligations fully under the laws of armed conflict to protect non-combatants.

25. A third major concern was child prostitution and child pornography. Although his country was not yet a party to the Convention on the Rights of the Child, its legislation on those issues was among the strongest and most effective in the world. In the past few years alone, the federal Government

and individual States had enacted extensive legislation to fight child pornography, the sale of children for the purpose of sexual exploitation and sex crimes against children. The United States had also taken steps to prohibit the participation of its citizens in so-called sex tourism.

26. In conclusion, his country was playing an active role in seeking to hold nations accountable for their child labour practices and help them end such practices through multilateral institutions like the International Labour Organization. It would also continue to fight the sexual exploitation of children.

27. Ms. HERNANDEZ QUESADA (Cuba) said that the economic, political and social upheavals caused by adults in the world had serious consequences for the planet's young people. Traffic in children, child prostitution, physical and sexual abuse, paedophilia, child pornography, child labour, street children and other ills, together with increasingly high rates of infant mortality due to curable diseases and malnutrition, were the daily scenario for millions of children on all continents. Most of those children lived in the South and the most disadvantaged areas of the North, and their physical and intellectual development was limited to the barest of survivals.

28. Although a recent instrument, the Convention on the Rights of the Child, already had more than 180 States parties, and was incomparably superior to any other United Nations convention. With the approaching fiftieth anniversary of the Universal Declaration of Human Rights and the tenth anniversary of the Convention itself, she again urged the few States that had not ratified the Convention to do so.

29. United Nations work on the rights of the child, which was principally conducted by the Commission and its working groups and thematic mechanisms, required the joining of efforts and avoidance of the selective and opportunist approaches that often underlay such issues.

30. The progress made on the question of children in armed conflicts, together with the valuable contribution of Ms. Graça Machel, had been an important milestone in the work of the United Nations. The activities of the working group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts would shortly be coming to fruition, and Cuba would continue its efforts towards that goal. It would also continue its efforts in support of the working group on a draft optional protocol on the sale of children, child prostitution and child pornography, with a view to the achievement of a final text as soon as possible. Unlike other countries, Cuba had always felt that there was a need for such an instrument and welcomed the interest expressed by delegations from European and other developed countries. It was unfortunate that substantive work on the protocol had not begun until the hideous events in Europe the year before had been made public.

31. Despite the seriousness of the issue, however, there was a disturbing tendency in some countries to focus on the sexual exploitation of children as being the most serious problem affecting children. In fact, the implications of the sale of children went beyond mere sexual exploitation, as clearly indicated in article 35 of the Convention.

32. Her country's achievements in the fields of education and health were well known. All Cuban children were guaranteed a classroom and a teacher, and Cuba had the most favourable teacher-pupil ratio in the world. It had progressed from having 2 million illiterate or poorly-schooled inhabitants in 1959 to its current school enrolment rate of 97.5 per cent for children aged 6 to 14 years. Cuba also had 560,000 university graduates. As impressive were Cuba's achievements in the field of health. Despite the many difficulties besetting its health system, it had achieved an infant mortality rate of 7.9 per 1,000 live births in 1996.

33. To illustrate the obstacles encountered by Cuban medical personnel in maintaining such levels of scientific development she referred briefly to the effects of the United States blockade on the treatment of children with cancer. In 1996 Cuba had had to pay between $20 and 30 million above market prices to purchase medical supplies. Washington's economic war against the island even denied it the resources for saving the life of a child with cancer. In many cases the necessary supplies could not be obtained at all, for they were only produced in the United States, or with United States technologies, and were therefore inaccessible to Cuba because of the blockade. Despite titanic efforts on the part of the Cuban medical profession, deaths from cancer of children between one and four years of age had increased in 1995.

34. Children had rights, and it was essential for those rights to be enforced. She would conclude with a simple question: what moral right did a Government whose policy towards Cuba undermined medical assistance to children with cancer have to speak before the Commission?

35. Mr. TYSZKO (Observer for Poland) said that, despite the work of the Commission, the Committee on the Rights of the Child, UNICEF and the specialized agencies, the rights of children continued to be violated throught out the world. Children were among the first casualties of war and bore the main consequences of the breakdown of society and dislocation of families. Child soldiers, street children, child prostitution, child pornography, trafficking of children, sex tourism and paedophilia were examples of abuses of the right not only of children but of humanity as a whole. The mental trauma they produced led not only to psychologically-damaged adulthood but to a growing number of violations committed by children and young persons.

36. There was an urgent need for further international action. Work should concentrate not on additional instruments and mechanisms but on concrete business-oriented programmes like those of UNICEF and ILO designed to halt exploitation of child labour and to enable children to acquire literacy and other skills. An integrated approach by the international system should include elements such as early warning and prevention, protection and assistance, reconciliation in conflict situations and long-term development and lasting solutions. He hoped that the reform presented by the new Secretary-General would guide activities in that direction. A focused approach would avoid duplication of efforts, and cooperation and coordination would increase the effectiveness of individual initiatives.

37. Programmes should always be developed in terms of the child's position in society. Many of the institutions and mechanisms in the field of children's rights acted from above, when activities in that area should be concentrated at the family, school and local community levels. At the international level, the challenge was to establish conditions that enabled those activities to be implemented effectively and efficiently. Educational programmes fostering the development of moral qualities and capabilities were one of the strongest forces in protecting children from destructive behaviour and creating a harmonious society.

38. Mr. PFIRTER (Observer for Switzerland) said that the Convention on the Rights of the Child was the cornerstone of the system for the protection and promotion of children's rights, and the most universally accepted binding human rights instrument. He was pleased to inform the Commission that the Swiss Parliament had approved the ratification of the Convention in December 1996 and that the Convention had recently entered into force for Switzerland, which intended to work actively towards its implementation.

39. Violations of the most basic children's rights continued to be committed in the framework of armed conflicts. Ms. Graça Machel's final report on the impact of armed conflicts on children was deeply distressing. The report and its recommendations should guide the future work of United Nations bodies.

40. His country was somewhat disappointed at the modest results of the latest session of the working group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts. It was imperative for the efforts undertaken to continue and for children involved in armed conflicts to be protected through the age of 18. He referred in that connection to the resolution of the twenty-sixth International Conference of the Red Cross and Red Crescent which expressed support for the adoption of the draft optional protocol and recommended that parties to conflict take every feasible step to ensure that children under the age of 18 years did not take part in hostilities. His delegation urged the Commission to renew the working group's mandate and hoped that its work would come to fruition rapidly.

41. Switzerland had formally renounced the possession or use of anti-personnel landmines and was working actively at the international level for their complete prohibition. He drew States' attention to the urgency of prohibiting those weapons, whose main victims were civilians, especially children.

42. The World Congress against Commercial Sexual Exploitation of Children, held at Stockholm in August 1996, had raised public awareness of that shameful contemporary form of slavery. The optional protocol being prepared by the working group would be giving a legal binding form to some of the political commitments made at the Congress. At its most recent session, the progress of the working group had been slower than hoped. His delegation hoped that its work would lead rapidly to the adoption of a precise and effective legal instrument. To avoid duplication and achieve rapid results, the working group should focus on the sexual exploitation of children, on which basis its mandate should be renewed by the Commission.

43. The international community should make every effort to ensure respect for the basic rights of children in particularly vulnerable categories, including girls, children in detention, refugee or internally-displaced children, street children and child victims of the most serious forms of economic exploitation. Switzerland provided financial support for UNICEF's work on behalf of children. It also associated itself with the work of ILO directed towards the adoption of a new instrument for combating the most intolerable forms of child labour, and it had recently decided to provide financial support for ILO's International Programme on the Elimination of Child Labour (IPEC).

44. Mr. GUST (International Labour Organization) said that ILO's International Programme on the Elimination of Child Labour (IPEC), its chief operational instrument to help the estimated 250 million working children worldwide, was implementing more than 700 projects on child labour in over 40 countries in Asia, Africa and Latin America. Recognizing that action against child labour was primarily a national responsibility, IPEC was concentrating on strengthening national capabilities in four main areas of action: national policy-making and integrated programme development, focusing particularly on identified target groups demanding priority attention; legislative reform and the strengthening of law enforcement; research, data collection and analysis, and awareness-raising; and the mobilization of a broad social alliance of all the partners concerned. Increasingly, IPEC was focusing on the most intolerable forms of child labour which demanded immediate attention.

45. That concern had led the ILO Governing Body in 1996 to prepare new international standards on child labour. These new standards, in the form of a proposed convention, were scheduled for discussion at the 1998 session of the International Labour Conference with a view to their adoption in 1999. The proposed objective of the new standards was the immediate elimination of certain intolerable practices worldwide, namely: activities that were contrary to fundamental human rights, including bonded child labour and the use of children under slave-like conditions, in prostitution and in drug trafficking or the production of pornography; and activities that exposed children to particularly grave hazards to their safety and health; and activities that were performed under hazardous working conditions. The standards also called for a total prohibition of work by very young children and special protection for girls. The practical application of those standards would bring a new lease of liberty to millions of children in situations of extreme risk. The new standards would complement and reinforce the armoury of related ILO Conventions, including the Minimum Age Convention (No. 138) and the Forced Labour Convention (No. 29).

46. In working to eliminate child labour, ILO looked for essential motivation from the universal work of the United Nations, with which it shared a relationship of vigorous interaction. In formulating its activities IPEC kept in view the Programme of Action for the Elimination of the Exploitation of Child Labour, adopted by the Commission in resolution 1993/79, and ILO had been actively promoting the implementation of the United Nations Convention on the Rights of the Child.

47. In conclusion, he wished to add a word of encouragement based on ILO's experience as a specialized agency which was both a partner in the universal movement against child labour and also a field practitioner facing the realities of the problem in its member countries: the challenge was daunting, but events at all levels gave rise to a realistic hope that the campaign against child labour could indeed be won.

48. Mr. OYUGI (Observer for Kenya) said that the report of the expert appointed to undertake a study on the impact of armed conflict on children (A/51/306 and Add.1) and the report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/1997/95 and Add.1-2) were indispensable in the fight for the rights of the child. The recommendations made in those reports should be supported and, where necessary, implemented without hesitation.

49. It was encouraging to note that most States had ratified or acceded to the Convention on the Rights of the Child, but the international community must not relax its efforts. That was especially the case in view of the rise of more sophisticated channels of abuse, such as the use of the Internet for pornographic purposes. The use of high-tech methods by offenders was a development that must be tackled promptly before it got out of hand.

50. His delegation welcomed the report of the working group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts, and hoped that the instrument would be adopted and ratified or acceded to rapidly.

51. His Government was deeply committed to the welfare and safety of children and had promptly ratified the Convention on the Rights of the Child. Since then, it had set up a task force on the law relating to the child, composed of representatives from all government departments and agencies involved in implementing the Convention. It had also drafted a national policy paper to prepare a comprehensive bill on the rights of the child, and had undertaken a campaign to raise national public awareness of the need to eradicate traditional practices that discriminated against girls in particular and to improve access to and the quality of education for girls from poor households in both rural and urban areas.

52. His country was deeply concerned about the effects of the conflicts in the Great Lakes region, especially eastern Zaire, on innocent children, women and men. It stood firmly in support of finding a peaceful solution to that and other crises in the subregion. Children living in an environment characterized by unbridled violence and vengeance could only perpetrate the same vices later in adulthood, assuming they survived the brutalities of their environment.

53. Children's suffering was not limited to conflict situations. Unfortunately, both boys and girls were increasingly being sexually exploited for commercial purposes through well-organized national and international syndicates. In that regard, his Government was deeply concerned about child sex tourism, which was on the rise. As a tourist destination, Kenya wished to

underscore the importance of closer cooperation between countries in order to eradicate that and other illegal activities of a transnational nature which impinged on the rights of the child.

54. Ms. BISBIS (Observer for Morocco) said that the problem of the protection of children had never before arisen as seriously for the international community as in the late twentieth century. Exploitative child labour, children's suffering due to wars and armed conflicts, and the sale of children, child prostitution and child pornography were problems that arose in all countries, developed and developing. The adoption and ratification by 187 States of the Convention on the Rights of the Child had been a major achievement, but gaps in the existing provisions persisted. Her delegation therefore supported the draft optional protocol to the Convention on involvement of children in armed conflicts, which called in particular for the minimum age for compulsory recruitment into the armed forces to be raised from 15 to 18 years, and was participating actively in the efforts to finalize the draft protocol on the sale of children, child prostitution and child pornography.

55. When children's problems were considered in a broader perspective it became obvious that the disastrous effects of the economic and social marginalization of poor countries was preventing children from achieving their physical and mental potential, completing their studies and finding employment, and from thus becoming well-adjusted, economically productive and socially responsible adults.

56. As a country deeply committed to the precepts of Islam, the Kingdom of Morocco gave high priority to activities relating to children. Its legislation, based on Koranic law, provided children with the protection and conditions needed for their development and self-realization.

57. The Kingdom of Morocco had acceded to the Convention on the Rights of the Child in 1993 and had submitted its initial report to the Committee on the Rights of the Child at its thirteenth session, to the Committee's satisfaction. In addition, the King had decreed 25 May the National Day of the Child and had established a National Congress on the Rights of the Child to monitor compliance with the Convention. That body's main functions were to gather data on and assess the situation of children and to evaluate measures taken on behalf of children. It was also responsible for promoting the rights of children at the national, regional and international levels, helping to strengthen national policies for the protection of children and to enhance the effectiveness of action to implement the Convention, mobilizing funds for measures to improve the situation of children and establishing a computerized data bank on all aspects of the implementation of the Convention and of the Plan of Action adopted at the World Summit for Children.

58. Morocco had also prepared a National Plan of Action for the Survival, Protection and Development of Children. The main objectives of the Plan were to combat malnutrition, improve the school enrolment rate and provide special protection for children in difficult situations, such as orphans and disabled children. It also aimed at reducing inequalities between girls and boys in rural and urban areas and improving access to basic services for disadvantaged children. Morocco mobilized all means available to it for the purpose of

improving its children's health, an example of which was the increase in immunization coverage from 53 per cent before 1987 to 85 per cent in recent years.

59. She reiterated her country's support for the recommendations of the World Summit for Social Development and the Fourth World Conference on Women, in particular with regard to the girl child, and also emphasized the importance of the results of the Stockholm World Congress, which could serve as a basis for the two optional protocols currently in preparation.

60. Mr. WILLE (Observer for Norway) said that the rapid and widespread support gained by the Convention on the Rights of the Child was convincing testimony to the will to accord high political priority to children. Norway was concerned, however, at the large number of reservations entered by States parties which were contrary to the object and purpose of the Convention. Reservations of that kind undermined the inherent value of the Convention, and he called on all the States parties concerned to withdraw them as soon as possible.

61. The Committee on the Rights of the Child had become an international focal point for problems and solutions, and States parties must cooperate fully with the Committee and give priority to submitting comprehensive reports on time. He welcomed the Plan of Action of the High Commissioner for Human Rights to strengthen the implementation of the Convention, but stressed the need to increase assistance to the Committee through regular budgetary resources.

62. The intolerable and unacceptable situation of the millions of children caught up in armed conflicts had been clearly exemplified in the report to the General Assembly by the expert appointed by the Secretary-General. Norway had warmly welcomed the study, which documented the devastating effect of warfare on children, and looked forward to participating in follow-up of the report in the relevant forums.

63. Norway strongly supported the work of the working group on a draft optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts, as well as that of the working group on the sale of children, child prostitution and child pornography. It also commended the work of the Special Rapporteur on the sale of children, child prostitution and child pornography, and had welcomed the holding of the World Congress against Commercial Sexual Exploitation of Children in Stockholm in August 1996. It was time to seize the opportunity to combat that phenomenon and adopt urgent measures to protect children from all forms of sexual abuse and exploitation.

64. The Amsterdam Child Labour Conference in February had placed the exploitation of child labour on the international agenda. To contribute to further progress in the fight against child labour, Norway would be convening an international conference on the matter in October 1997. The Convention on the Rights of the Child established basic international standards in that area. The challenge was to implement them. The main objective of the Oslo Conference was to identify national and international strategies for the eradication of child labour. Special focus would be placed on the role of

development cooperation and other forms of international collaboration. Norway welcomed the ILO initiative to draft a convention on the most intolerable forms of child labour, but warned against allowing any weakening of existing international standards. The Convention on the Rights of the Child continued to be the basic instrument for defending the rights of children, including their right to be protected from abuse and exploitation.

65. Mr. GALILEE (Observer for Israel) said that the ratification of the Convention on the Rights of the Child by 181 States had been a clear indication of a change in the perception of the rights of the child and of the universal commitment to protecting and enhancing children's rights. Israel was proud to be an active participant in that worldwide process, and could present major achievements in that area. First, there was increasing public awareness of phenomena such as child abuse, pornography and prostitution, and after years of collaboration a responsible and fruitful partnership had been developed with the media to ensure that such issues were reported with sensitivity and awareness. The second stage of Israel's achievements included taking responsibility for solving the problem. The Israeli Parliament, the Knesset, had as early as 1955 enacted legislation [illegible]sing minors who had been involved in sexual crimes from appearing in court. The Knesset also had an active lobby in the Children's Advocacy Committee, consisting of members of Parliament from across Israel's political spectrum, including Arab members. The Committee represented the consensus in Israel with regard to the protection of children, and was taking active measures to ensure implementation of that legislation.

66. To cope with the complexity of the task of protecting children, Israel had developed a comprehensive model utilizing a single umbrella body. The main focus in that comprehensive approach was always the child's best interests. It was natural to gear efforts towards aiding victims and punishing perpetrators. For any programme to be effective and helpful to children in the long run, however, it must contain an element of therapy for perpetrators, as emotionally disturbing and difficult as that might be. That assistance was in addition to, not in place of, a punitive approach. Thus services were offered to the entire family - victims, perpetrators, spouses, siblings and the extended family. Children also had easy access to a special ombudsman designated for them by the Ministry of Education, to whom they could submit complaints against schools and teachers, and an ombudsman for complaints of a general nature, including complaints against parents.

67. Like other countries of immigration, Israel faced typical problems of child protection in an immigrant environment. Legitimate patterns of child-rearing in one culture might be considered child abuse in another, and the frustration and aggression created by the immigration process were frequently directed at the weakest target - children. Millions of refugees in the world suffered from crisis-inspired cultural detachment. In the past few years Israel had absorbed hundreds of thousands of immigrants, who constituted 10 per cent of its total population. As a result it had become the world's largest laboratory for developing programmes to deal with the combination of immigration and child abuse. It was ready and willing to share that accumulated knowledge and experience with others.

68. Israel's cross-cultural experiences were also applied to members of sub-cultures and closed societies. It was proud of the work being done with Israeli Arabs. Together, Jews and Arabs had adapted intervention techniques to Arab cultural values and child-rearing patterns. Promising beginnings had been seen with Israel's neighbours, including the Palestinians. A conference entitled "Human Rights Education for Young Children", bringing together Israeli, Palestinian and other scholars, had been held by Israeli NGOs.

69. Israel was also involved in several programmes whose scope transcended the individual interest of the State. It had provided shelter to children and youths from conflict-ridden areas such as Bosnia-Croatia and victims of the Chernobyl nuclear disaster. Medical care was offered to whomever could benefit from Israel's medical facilities and expertise, and training was given by Israeli experts on a regular basis both in Israel and throughout the world.

70. Mr. BALL (Observer for New Zealand) said that his delegation wished to join others in welcoming the ratification of the Convention by 190 States and encouraged the few countries not having done so to ratify it in the near future.

71. New Zealand had become a party to the Convention in 1993 and had presented its initial report to the Committee on the Rights of the Child in January 1997. It had welcomed the opportunity to discuss the situation in New Zealand with the Committee, and appreciated the thorough alternative NGO submissions which had helped the New Zealand delegation and the Committee to have an informed discussion about the wide range of legislation and policies affecting children in the country. New Zealand had been pleased to be able to report on a number of key developments in the area of children's rights. Those included the appointment of a Commissioner for Children, the extension to children of protection under the Domestic Violence Act 1995 and the regular convening of a Youth Parliament. It had received the Committee's concluding observations and would be working with NGOs, children and young people and government agencies to give serious consideration to the recommendations and to ensure that work on implementing the Convention continued.

72. In addition to the important work being done by the Committee, New Zealand strongly supported the work of UNICEF and, reflecting that support, had increased its contribution to that agency's work by over a third since 1994. It had been pleased to be elected recently to the UNICEF Executive Board, and hoped to be actively involved in UNICEF's ongoing effort to streamline and focus its operations.

73. UNICEF's State of the World's Children 1997 report had contained a special section, entitled "Children at risk: Ending hazardous and exploitative child labour". The report set out in horrifying detail the range of situations in which children were subjected to economic exploitation. It explored carefully the range of issues raised in a study of child labour, noting in particular the importance of distinguishing between beneficial and intolerable work and examining the conditions which States parties to the Convention were required to ensure.

74. It was important to recognize the approaches open to States in fulfilling their obligations under the Convention, aside from the option of

establishing a minimum age for admission to employment. A mandatory minimum school-leaving age together with clear protection against exploitative and hazardous forms of child labour was an effective and practical approach in many situations.

75. Turning to a specific aspect of exploitation of children, he acknowledged the contribution of the work done at the first World Congress against Commercial Sexual Exploitation of Children. The Stockholm Declaration and Agenda for Action was also an important document providing sound guidance for States committed to the elimination of commercial sexual exploitation of children. His Government had begun follow-up activities to the Congress, including the preparation of a report on the implementation of the Agenda for Action.

76. New Zealand had been among the first countries in the world to enact laws providing for the prosecution of its own citizens and residents who committed child sex offences in other countries, or who facilitated the travel of others to do so. The effectiveness and enforceability of that legislation, however, very much depended on developing strong international cooperation. Police and customs officials throughout the world should be directly involved in efforts to combat that problem. His country would continue to participate actively in the work of the working group on a draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. There remained a number of key issues to be resolved and he encouraged all participants to give them careful consideration before the next meeting.

77. New Zealand had also participated in the working group established by the Commission to develop an optional protocol dealing with children in armed conflict. It was disappointing that, despite the compelling guidance provided by the Machel report, it had not been possible to finalize an appropriate optional protocol at the working group's most recent session. New Zealand would continue to take an active role in the working group, as it had no doubt that a well-drafted instrument could play an important part in preventing the recruitment of child soldiers and their participation in hostilities.

78. Mr. MORJANE (Observer for Tunisia) said that the near-universal ratification of the Convention on the Rights of the Child was a response to the pressing need for protection of children as a vulnerable category of society, especially in view of the increase in degrading practices such as the use of children in armed conflicts and the sexual exploitation and sale of children. In that connection, he wished to pay a special tribute to the pioneering work of the Commission and of the Committee on the Rights of the Child.

79. He also wished to commend the Special Rapporteur on the sale of children, child prostitution and child pornography. His delegation endorsed the recommendations contained in her report, especially those on the importance of prevention in protecting children against abuse and on the role to be played by education and the media. The effective realization of children's rights throughout the world, however, required the eradication of the root causes of violations of those rights, including poverty, underdevelopment, civil strife and transnational organized crime.

80. The importance attached by Tunisia to the survival, protection and development of children had been a permanent feature of its human resource development policy since independence. The innovative activities that had taken place throughout the decade 1987-1997 had been consistent with the Convention on the Rights of the Child, which had been ratified and published in the Journal Officiel on 11 January 1992, and with the World Declaration on the Survival, Protection and Development of Children.

81. On the instructions and under the direct supervision of the Head of State, substantial reforms had taken place in the areas of basic education and maternal and child health. A National Council on Children, comprised of representatives of the relevant ministries, NGOs and experts, had been established. A study, research and documentation centre on young people and children had also been set up, together with a network of leisure centres for families and children. The new school curricula placed special emphasis on rationalism, openness and the promotion of human rights in general and of children's rights in particular. Tunisia had also made considerable efforts in the field of primary health care and preventive medicine, particularly maternal and child-health care, the extension of immunization coverage and the development of family planning services.

82. Increased attention to protection of children in Tunisia had led to the promulgation on 9 November 1995 of the Children's Protection Code. Among its objectives were the preparation of children for free and responsible lives on the basis of human rights, equity, tolerance and moderation, participation of children in all decisions affecting them and primary consideration for the best interests of the child in all measures concerning children taken by courts, administrative authorities and public or private social welfare agencies. In accordance with the Code, mechanisms had been established to protect children at risk and provide assistance to juvenile offenders. Concerning children at risk, a body of counsellors for the protection of children had been constituted in eight of the country's governorates. Juvenile magistrates had been appointed, children's courts had been set up and specialized advisors had been designated to assist those courts.

83. The dissemination of a children's rights culture was part of a consistent programme for both children and the family, aimed at making the public aware of the Convention, the Children's Protection Code and the National Plan of Action for the Implementation of the World Declaration on the Survival, Protection and Development of Children. As a follow-up to the provisions of those instruments, every year on 11 January, National Children's Day, a report on the situation of children was submitted to the Head of State.

84. The increase in degrading practices against children such as sexual exploitation and the use of children in armed conflicts required the strengthening of international institutions in those areas. For that reason, his country supported the work of the Commission's working groups on the draft optional protocols to the Convention, on involvement of children in armed conflicts and on the sale of children, child prostitution and child pornography.

85. Ms. SLESZYNSKA (Christian Democrat International) referred to the announcement by the Prime Minister of France on 13 March 1997 that the French Government would make protection of children against sexual and other abuse a national priority. Her organization commended the French Government for having made the protection of children and young people a matter of State, and did not doubt that the decision would be rapidly reflected in appropriate legislative, administrative and budgetary measures.

86. In some countries, obsolete legislation left children defenceless: their very lives were in their parents' hands. A particularly serious problem was female circumcision, which continued to be practised in certain Asian and African countries for religious reasons or in pursuance of age-old traditions. That inhuman practice must be firmly denounced and prosecuted.

87. Abuse of children of either sex was particularly shocking and disturbing when it came from persons who had authority over them: parents, teachers, clergymen or persons with political or governmental responsibilities. Until recently, church and school leaders had made efforts to protect paedophiles under the pretext of avoiding scandal. In some countries such cases were even tried in special courts. Such tolerance was unacceptable and must be firmly denounced and combated. Although paedophilia was an individual problem, there was no doubt that it was fostered by the widespread atmosphere of permissiveness in the developed countries. Unacceptable saturation levels were being reached, and if the international community wished to avoid the consequences, it needed the lucidity to identify the causes and the political will to combat them effectively.

88. Mr. GUPTA (Indian Council of Education) said that he would like to discuss the Programme of Action for the Elimination of the Exploitation of Child Labour with special reference to South Asia. In spite of all efforts at the international level, including the recommendations of the Vienna Declaration and Programme of Action and the work of the Commission at its fifty-second session, child labour in South Asia continued to increase - the consequence of the rapid growth of population, poverty, illiteracy and unemployment. Legislation banning child labour in South Asia was insufficient, and the Governments of the region needed to devise a comprehensive rehabilitation programme for children engaged in child labour. International organizations such as ILO and UNICEF should enhance their activities in collaboration with concerned Governments. The developed countries had a special role to play in assisting the developing countries, rather than imposing uniform labour standards that would cause the situation in South Asia to deteriorate even further.

89. His organization appreciated the special efforts of the Government of Bangladesh to eliminate the exploitation of child labour and hoped that other countries in South Asia would also start special drives and action programmes to combat that menace. He stressed the important role which NGOs could play in improving the condition of children, and urged all the Governments in South Asia to strengthen bilateral and multilateral cooperation through the United Nations programme of advisory services in the field of human rights and the ILO International Programme on the Elimination of Child Labour.

90. Mr. CURTOTTI (International League for Human Rights), speaking on behalf of the International League for Human Rights and the Human Rights Council of Australia, said that those organizations supported the adoption of a clear and effective optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflicts. In their view, the key task of the protocol was to raise minimum age standards for recruitment into armed forces and for participation in armed conflict. The age of 18 should be adopted as the minimum general standard for both those purposes.

91. The Convention on the Rights of the Child already provided for a minimum age of 15, which was all too frequently violated. According to UNICEF, child soldiers had numbered 200,000 in 1988 alone. The statement of the expert of the Secretary-General to the working group on involvement of children in armed conflicts had noted the futility of any draft protocol that did not address the issue of non-governmental armed forces. Girls faced even worse brutalization in that context, sometimes being forced to provide sexual services to other combatants. He therefore welcomed the inclusion of draft articles 1, 2.1 and 2.2 and particularly "new article A" and "new article D" in the draft protocol. Nevertheless, they were far from sufficient. Whether an individual was purporting to act on behalf of a legitimate Government or a non-governmental armed force, it was the fear of criminal sanctions that would be most effective in eliminating those practices. As the draft protocol stood, it would merely elaborate higher standards, when existing standards were being violated with impunity.

92. The recruitment of children for slaughter in battle or for sexual services or slave-like labour was undoubtedly an act that could be considered to meet the description of an international crime. He accordingly proposed that new article A should be expanded to provide that each State party would institute legislative measures imposing appropriately severe criminal sanctions against individuals who violated the draft protocol. It should also provide an obligation for all States themselves to try offenders or extradite them to another State prepared to undertake criminal prosecution. The draft protocol needed to make clear that breach of its standards would be treated by States parties, at least, as serious violations of the Geneva Conventions. He noted in that respect that the International Committee of the Red Cross included recruitment of children in the category of serious violations of international humanitarian law for the purposes of the draft statute of the International Criminal Court.

93. Notwithstanding his strongly held views on the proposals he had outlined, should it prove impossible to adopt them, he would support, as a first step, the inclusion in the draft protocol of the version of new article A found in paragraph 104 of the report of the working group, which required at least that States parties should take "legislative measures" in pursuit of the aims of the protocol. He was aware that political factors might detract from the expected outcome, and also of the need to ensure the early conclusion and widest possible ratification of the draft protocol. Nonetheless, he believed the points he had outlined represented the standard that should be sought.

94. The adoption of the protocol would also entail a responsiblity for the international community to provide new and innovative mechanisms for children, especially in situations of internal conflict. Many NGOs were already proposing the establishment of a special ombudsperson for children in extreme circumstances. However, the adoption of a clear and unambiguous optional protocol making it illegal for State and non-State armies to recruit boys and girls under the age of 18, for services of any kind, was an essential precondition to the practical measures that would have to be taken to supplement those imperative legal standards.

95. Ms. MACIAS (Federación de Asociaciones de Defensa y Promoción de los Derechos Humanos) said that her organization condemned the violations of children's rights taking place in the Philippines. The Government of the Philippines had assumed a series of obligations and commitments to improve the situation of Filipino children. Those were contained in the National Plan of Action on behalf of children, adopted in 1990 after the ratification of the Convention on the Rights of the Child by the Philippines. The Philippines had also signed ILO Convention No. 138 on the minimum age for admission to employment.

96. Despite those good intentions, violations of the rights of Filipino children were continuing as a result of displacements of groups of people due to so-called "development projects" or to military operations by the Filipino army. Such displacements undermined a series of basic rights and especially affected the most vulnerable groups, women and children. Displacements conducted under the national medium-term development programme were estimated to have affected over 2.5 million of the 9.9 million poor people in the Manilla metropolitan area. In addition, a series of presidential decrees from the Marcos regime persisted under the Ramos administration; among other violations of human rights, the decrees could be used to justify arbitrary demolitions. Displacements due to the internal armed conflict also affected many vulnerable children. Most of them were the result of the Government's military campaigns against the forces of the Frente Moro de Liberación Nacional, the Frente Moro Islámico de Liberación, Abu Sayyaf or the Nuevo Ejército del Pueblo. The paramilitary forces, or "civil police", financed by the Government, played a fundamental role in such operations. President Ramos was continuing to ignore both United Nations and European Parliament resolutions calling for the dismantling of the Citizens Armed Forces Geographical Units, known internationally for their mass violations of human rights. If they emerged from conflict without physical injury, children then faced problems of malnutrition, psychological trauma and lack of schooling.

97. Sexual abuse of children had increased considerably in recent years despite steps taken by the Government. The displaced persons to whom she had referred earlier tarvelled to the cities, where they swelled the ranks of the urban poor. Nearly half of all Filipinos were living below the poverty line, a situation that gave many families no other choice than to prostitute their children. Many such abuses were perpetrated by foreigners in the country, a fact to which the Commission should give more serious attention. As for child labour, 60 per cent of the 3.7 million working children were exposed to

inhuman conditions in the workplace. She called on the Commission to monitor the situation closely and to arrange for a visit to the Philippines by the Special Rapporteur on the sale of children, child prostitution and child pornography.

98. Mr. ERMAKOV (Russian Federation) said that the Convention on the Rights of the Child was a most important instrument of policy with regard to children. Russia had ratified the Convention in 1990. It was particularly in favour of the earliest possible completion of the optional protocol on involvement of children in armed conflicts and was convinced that the age limit for compulsory and voluntary recruitment into armed forces should be no lower than 18 years.

99. Another important area of action with regard to children concerned the protection of children from sexual exploitation. His delegation welcomed the Declaration and Plan of Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996, and hoped that their implementation, including the adoption of legislation and law-enforcement measures at the national level, would give new impetus to the realization of the full range of children's rights. It took a similar view concerning the draft optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The working group had prepared an initial draft but much remained to be done to harmonize differences in legal norms, law-enforcement practices and social and cultural conditions in various countries.

100. Russia was striving to implement the Vienna Declaration and Programme of Action, which stressed the importance of national and international efforts, especially under the aegis of UNICEF, to encourage respect for the rights of children to life, protection and development. It also welcomed the results of the latest world forums, the Cairo International Conference on Population and Development, the Copenhagen World Summit for Social Development and the Beijing World Conference on Women, whose recommendations it intended to implement.

101. His country was actively developing standards to ensure the rights of children. It had adopted basic legislation on the protection of citizens' health and occupational safety, and presidential decrees had been issued on providing assistance to families with children and on preventing lack of supervision of minors and juvenile delinquency. The new Penal Code contained provisions on the non-applicability of the death penalty to minors. To resolve the most urgent problems, the President had issued a decree establishing a presidential programme for the children of Russia, which gave particular assistance to disabled children and victims of the accident at the Chernobyl nuclear power plant. There was also a programme for gifted children and steps were being taken to establish a network of institutions providing preventive and rehabilitative services for children in difficult circumstances and to ensure social protection during the period of economic transition. The presidential decree outlined the National Plan of Action for children, which took into account the provisions of the Convention, the World Declaration on the Survival, Protection and Development of Children and the Russian Constitution. The effective implementation of such norms, however, was undermined by the economic crisis, the reduction of the standard of living of

the majority of the country's population and the weakening of the State health care and education infrastructure. Nevertheless, there was an understanding in Russian society of the importance of children's issues and of the need for urgent measures to address them.

102. Ms. RIVERO (Uruguay) said that her country had always been a strong defender of children's rights. It had submitted its initial report to the Committee on the Rights of the Child in 1996 and was currently revising its Children's Code and implementing policies to improve the situation of children in especially difficult circumstances. Helping children was an investment in the future, and no effort should be spared to ensure their comprehensive development. As education was the essential instrument for doing so, children should remain in the classroom as long as possible and should not be recruited into the armed forces before the age of 18. It was also essential to rehabilitate the victims of armed conflicts and to achieve the final elimination of anti-personnel landmines and other similar weapons.

103. The problems of the sale of children and all forms of exploitation and abuse should be approached comprehensively, in accordance with articles 34, 35 and 36 of the Convention on the Rights of the Child. The Commission must unequivocally and vigorously condemn all aspects relating to the abuse and sexual exploitation of children. Such phenomena must be eradicated, and efforts must also aim at reducing the harm they caused to children. Not only must those guilty of such offences be severely punished, but mechanisms must be established at the national and international levels to ensure that such acts never recurred.

104. Practical measures in the legislative, judicial, administrative and social fields were needed for the protection of children. She hoped in the not too distant future to see a draft resolution containing sections on matters such as cooperation in devising education and training mechanisms, the strengthening of children's physical, mental and spiritual health and the establishment of rehabilitation centres.

105. Mr. FERNANDEZ (Philippines) said that the Convention on the Rights of the Child provided the most fundamental protection for children, but would be effective only if it was widely disseminated, understood and implemented. As one of the first countries to ratify the Convention, the Philippines had taken the necessary steps to implement its obligations. It participated actively in the inter-sessional working groups on the draft optional protocols to the Convention and had established solid legislative and administrative foundations for upholding children's rights and promoting their well-being in a democratic framework. Child health, education, nutrition and welfare were continuing concerns of the Government, and a child rights centre under the Philippine Commission on Human Rights was investigating violations of children's rights and initiating legal action on their behalf.

106. Children with disabilities had the right to equal access to education and the highest attainable standards of physical and mental health. In that regard he urged Governments, concerned international organizations and United Nations agencies, including UNICEF, WHO, UNESCO and NGO partners, to conduct awareness-raising activities with a view to overcoming discrimination against children with disabilities. He encouraged the adoption of holistic

approaches towards the well-being of all children with disabilities, particularly children at highest risk, including refugees, displaced children, migrant children, children living in settings of violence and those living in disaster areas.

107. His delegation also recommended that the Committee on the Rights of the Child and the Special Rapporteur on the sale of children, child prostitution and child pornography should give attention to the special needs of children with disabilities and report thereon to the Commission at its fifty-fourth session.

108. Children were among the first victims of armed conflict. They were tortured, raped and often killed, and those who survived suffered immeasurable damage to their development. His delegation welcomed the report prepared by the expert of the Secretary-General appointed to undertake a study on the impact of armed conflict on children, and concurred with its recommendations. It would also like to thank the Special Rapporteur on the sale of children, child prostitution and child pornography for her report and hoped that her planned field visits to Latin America, Asia and Africa would broaden her insights into the gravity of those problems. His delegation noted with great concern the global problem of trafficking of children in its many forms and urged the Commission to continue to support the work of the Special Rapporteur.

109. His delegation also wished to express strong support for the Stockholm Declaration and Agenda for Action and joined the call for all States to comply with the commitments made at the World Congress. At the Child Labour Conference held in Amsterdam, there had been consensus on the need to eliminate the most intolerable forms of child labour, including slavery, trafficking, sexual exploitation and hazardous work. His delegation agreed with the UNICEF statement to the effect that hazardous child labour must be consigned to history in the same way as those other forms of slavery that it so closely resembled. The protection and promotion of the rights of children required political will, continued vigilance by concerned international organizations and NGOs and increased cooperation among all.

110. Mr. Somol (Czech Republic) resumed the Chair.

111. Ms. RAMLI (Malaysia) said that in many countries there were children who had to live in the streets coping daily with serious crime, pressure to use drugs, sexual exploitation and abuse. Many died of preventable diseases and malnutrition, others merely because they were caught in the middle of an armed conflict. Some faced conscription into the armed forces, torture, unjust punishment and imprisonment. Some worked long hours at jobs that were often damaging to their health with no rest or recreation. With all those problems it was fitting that the Commission should deliberate on agenda item 21, under which human rights could be promoted in a climate of cooperation and understanding rather than confrontation and suspicion. Her delegation joined in the call for those countries which had not yet done so to ratify the Convention on the Rights of the Child as soon as possible.

112. In order to bring about tangible progress, all discussions must be based on the realization that children's issues were inherently complex, for

children were in many ways utterly dependent on their parents or guardians and while the Convention upheld a number of basic rights, it did not encroach on the rights of parents and their primary responsibilities with regard to the upbringing and development of their children. Furthermore, the role of the community in a child's upbringing should not be confused with individual freedoms and the interest of the community as a whole, and issues concerning the rights of the child were inextricably linked to the socio-economic conditions of the community. In that connection, children's issues could not be separated from the issue of the family: economic, cultural and even political factors had conspired to ensure that the family was no longer the primary vehicle for socialization, protection and a means of comfort.

113. Although the incidence of child labour in her country was negligible, Malaysia took an interest in the question. Child labour was the denial of a future, but for destitute families trapped in the vicious cycle of poverty, it was often considered to be the only option. What made the problem so staggeringly difficult to resolve was that, within the current economic system of purchasing and sourcing globally, child labour unfortunately made perfect economic sense. Also unfortunately, the phenomenon had a historical antecedent. The vast changes in Asia were similar in many ways to the industrialization-consumerist process that Europe had experienced in the late nineteenth century. As societies had become wealthier and more concerned about their children, the exploitation of child labour had stopped. Yet that should not be an excuse for inaction. In that regard, her delegation believed that the solution to the problem did not lie in wholesale condemnation of countries and industries accused of child labour. Trade embargoes would only exacerbate the problem. What was needed was a multilateral approach to alleviate child labour that recognized the importance of the family as well as that of the community as a whole.

114. The phenomenon of child labour was not confined to the developing countries. In the developed countries, it existed at the low-technology end of industry, as in garment manufacture, the "sweat-shop" phenomenon. At the other end of the spectrum, children were often pressured to undertake tasks inappropriate for their age in order to make them succeed as fashion models, child actors and tennis players. That form of child labour was even less morally justifiable, given the absence of economic necessity.

115. Her delegation noted with interest the final report on the impact of armed conflict on children, the report of the Special Rapporteur on the sale of children, child prostitution and child pornography and the reports of the two working groups on the draft optional protocols to the Convention. It hoped that the final texts of the draft protocols would be agreed on soon. In connection with the draft optional protocol on involvement of children in armed conflicts, it hoped that the minimum age for participation in hostilities would be set at 18 years.

116. In conclusion, she called on all States to undertake, through the resolution to be adopted, their own national plans of action, comprising every possible measure to ensure that the rights of children prevailed throughout the world.

117. Mr. ROSALES DIAZ (Nicaragua) said that the UNICEF reports on the state of the world's children had described an alarming situation throughout the 1980s, marked by the death of a quarter of a million children every week due to preventable diseases, as well as execrable health conditions and an increase in malnutrition for millions of children throughout the world. In the developing world, external debt payments on average left only 12 per cent of Government spending for the primary health care. The commitment made by Nicaragua at the World Summit for Children in 1990 had also posed a major challenge due to the severe economic crisis the country had then been experiencing. Nevertheless, the country had made a strong economic recovery, which had made it possible to increase budgetary resources for education and health, although it had failed to improve social indicators, largely owing to the short- and medium-term consequences of structural adjustment. To meet the objectives defined by the World Summit, the National Commission for the Protection of Nicaraguan Youth, under the sponsorship of the President of the Republic and in coordination with the Nicaraguan Fund for Children and the Family, had prepared a draft Children's Code, which had been analysed extensively at the First National Conference on Children, Adolescents and Violence, held at Managua in August 1996. The Code was currently before the National Assembly for adoption.

118. In the last decade approximately 2 million children had died in wars and a further 4-5 million had been left physically handicapped. Some 5 million children were living in refugee camps and over 12 million had no home at all. Children suffering psychological trauma as a result of armed conflicts were estimated at 10 million. Two hundred thousand Nicaraguan children had been directly affected by the war fought on Nicaraguan soil in the past decade. In order for the motto "Nevermore" to become a reality, her country hoped that the working group on an optional protocol relating to children in armed conflicts would be able to adopt the draft protocol at its following session. Her country noted that only 1 per cent of the military expenditures of the industrialized world would be sufficient to eliminate malnutrition and improve health care and education for children throughout the world.

119. In recent years the disgraceful international traffic in children had been much in the public eye. As it had stated at the latest session of the working group preparing the optional protocol on the sale of children, child prostitution and child pornography, Nicaragua had appreciated the willingness of some delegations which had previously opposed an optional protocol to accept one. For the first time the working group had been able to reach a consensus on the need for such a protocol. That had been largely due to the mobilization of public opinion following the traumatic events that had occurred throughout 1996, and to the Stockholm World Congress against Commercial Sexual Exploitation of Children. She hoped that the international campaign and the change of atmosphere in the working group would enable it to complete its work by the year 2000. On the tenth anniversary of the World Summit for Children and at the threshold of the twenty-first century, the adoption of the protocol would be a compelling symbol. In that connection, she stressed the need for the protocol to establish measures of prevention and rehabilitation for child victims and to provide a precise definition of offences and penalties. It should also contain a clear definition of sex tourism and establish punishment for all involved, whether in countries of origin or in countries where the offences were committed. In keeping with

articles 34 and 35 of the Convention, the protocol should also encompass the traffic in children for illegal international adoptions, as well as traffic for the purposes of extraction and sale of children's organs.

120. Mr. QAZI (Pakistan) said that his country supported the efforts to elaborate draft optional protocols to the Convention on the Rights of the Child on involvement of children in armed conflicts and on the sale of children, child prostitution and child pornography, and was participating in the working groups established to achieve those goals. It commended the Special Rapporteur on the sale of children, child prostitution and child pornography and the expert of the Secretary-General appointed to undertake a study on the impact of armed conflict on children for their reports.

121. The population of Pakistan currently stood at 130 million, of whom nearly one third were children. The realization that children's issues would have to be addressed specifically rather than subsumed in general social and development programmes had led to a number of actions in recent years. Laws concerning children's rights had been strengthened and institutional mechanisms for protection of children's welfare established. Some of the most notable successes had been in the area of health: eradication of guinea worm disease, dramatically reduced measles-related deaths and near-universal salt iodization. However, much remained to be achieved. Most troubling was the slow progress in the critical areas of reducing malnutrition, providing clean water and sanitation and ensuring school attendance for all children. The gap between requirements and resources led to grave shortfalls in Pakistan's programmes on primary education, clean water and sanitation.

122. Pakistan had endeavoured to devise a strategy aimed at the optimal utilization of limited resources. A first priority was to build capacity to formulate and implement effective programmes. A well-trained and motivated pool of policy makers, administrators and service delivery personnel could make a considerable difference in maximizing returns from finite resources. The international community could help in those efforts by understanding the magnitude of the tasks and the complexity of the issues. He hoped that sustained efforts at the national level and stronger partnerships at the international level would lead to improvement in the situation. Efforts must be redoubled to achieve the goals set in Stockholm six years earlier.

123. Pakistan had signed the Convention on the Rights of the Child in 1990, had been one of the prime movers of the World Summit for Children and was a party to most ILO conventions relating to children. Like many countries in South Asia, it was confronted with the problem of child labour, which it was determined to eradicate, beginning with its most intolerable forms. The Constitution of the country forbade slavery in any form. In 1992, bonded labour for children and adults alike had been abolished through the Bonded Labour System (Abolition) Act. Pakistan had signed a Memorandum of Understanding with the International Labour Organization to eliminate bonded labour and prevent the abuse of child labour, and was actively cooperating with the International Programme for the Elimination of Child Labour (IPEC). One survey conducted jointly with IPEC had shown the child labour problem in Pakistan to be much smaller than previously thought.

124. A media campaign had begun to raise awareness of children's rights. The level of awareness in civil society and business circles was evidenced by the fact that the manufacturers of sporting and surgical goods in the industrial city of Sialkot had entered into a programme of action with ILO to eliminate child labour from Sialkot within 18 months. Inspections conducted to enforce the Employment of Children Act, 1991 had been on the increase, and had led to a large number of prosecutions and hundreds of convictions. The Ministry of Social Welfare had prepared a programme for the rehabilitation of child labourers, including centres providing children with free education, medical care, nutrition and vocational training. The Ministry of Health had launched an expanded programme of immunization aimed at tetanus, diphtheria, polio, tuberculosis, mumps, measles and rubella, and maternal and child health centres had been established at the sub-district level, to meet both post-natal and antenatal needs.

125. The Government of Prime Minister Nawaz Sharif was committed to ensuring school enrolment for every child between 6 and 12 years of age within 5 years and to achieving universal literacy in 15 years. Special attention was being paid to the education of girls. The Government was providing free land for establishing schools in rural areas to those interested in opening private schools and was bearing two thirds of the costs while the sponsors bore one third. Penal and criminal laws relating to children had also been amended, and the death sentence for children under 16 years of age had been abolished. Efforts were being focused on rehabilitating juvenile offenders as responsible members of society.

126. As long as the right to development continued to elude certain nations, there would be children forced to forsake education and recreation for work. He therefore called on the international community to view the problems of developing countries with understanding and to assist them in overcoming those problems.

127. Mr. MARBUN (Indonesia) said that his country had signed and ratified the Convention on the Rights of the Child eight years earlier and had since had the opportunity to work closely with the Committee on the Rights of the Child. His Government had established a National Action Plan to increase awareness of the Convention and to bring national legislation into line with its provisions and facilitate the implementation of administrative and social measures in a wide range of areas, including health, education and nutrition. To monitor progress in those areas, the Government had established 12 central indicators covering issues ranging from mortality and birth rate to nutritional intake.

128. Among Indonesia's most recent initiatives to improve child welfare was the implementation of a universal basic education programme targeted to achieve a minimum of 90 per cent school enrolment by the year 2003. To increase access to the programme for poor children, the Government had launched a national foster parent movement in May 1996 to encourage well-to-do people to contribute towards the education of underprivileged children. Efforts had also been made to improve children's health and well-being. In March 1997 the Government had launched a project to distribute free high-protein snacks to children in primary schools and Indonesia's Ministry of

Social Services and UNICEF officials had announced plans to create a Child Protection Institute. In addition, deliberations on a government bill to establish a juvenile court were currently under way in Indonesia's Parliament.

129. Indonesia was addressing a number of serious problems of great concern to the international community, such as the exploitation of child labour, the sexual exploitation of children and the protection of children affected by armed conflicts. His Government had, for example, established a national focal point to coordinate activities in the field of child labour and had taken measures to alleviate the underlying social problems, such as poverty, which led children to seek employment. In cooperation with ILO and UNICEF, the Government had conducted a national workshop on child labour in October 1996 with a view to ratifying ILO Convention No. 138 on the minimum age for admission to employment. As a member country of IPEC, Indonesia extended its appreciation to the donor countries supporting the programme. In that connection, on 13 March 1997 the Minister of Manpower of the Republic of Indonesia and the Director-General of ILO had signed a Memorandum of Understanding on the implementation of the IPEC Programme Document of 6 December 1991, aimed at the eventual elimination of child labour. Both parties recognized that attaining that objective required not only vigorous action by the Government but also the active involvement of employers, workers and non-governmental organizations.

130. Indonesia was also deeply concerned with issues relating to the sexual exploitation of children and fully supported efforts to complete a draft optional protocol to the Convention on the Rights of the Child and to provide effective measures for the prevention and eradication of the sale of children, child prostitution and child pornography. Finally, his delegation wished to express its appreciation for the work of the expert of the Secretary-General, whose report on the impact of armed conflict on children underscored the urgent need to act on their behalf.

The meeting rose at 9.05 p.m.